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A Professional Corporation
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New York, New York 10118
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL,

Plaintiff,

-against-

08 Civ. 0442 (TPG)

ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC,
ASSARA LASER and MANHATTAN LASER HAIR
REMOVAL, JAY SHUMAN a/k/a JEROME SHUMAN,
WILL SHUMAN and DR. SAM TAYER,

ECF CASE

Defendants.

-----X

**AFFIDAVITS OF SERVICE UPON
WILL SHUMAN**

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE Feb. 19, 2008
NAME OF SERVER (PRINT) Peter Olphie	TITLE NYS Lic. Private Investigator

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: Service on Will Shuman
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
- Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:

☒ Other (specify): Served Elizabeth Botte, employee of Will Shuman.

Served at 9:27AM on Feb. 19, 2008 at 7 West 51st Street, 2nd Floor, New York,
NY- Female-5'7"- 120 lbs - 25 years - Brn Hair - Wht Skin
AND mailed 1st class and Certified Mail Return Receipt Requested #70070220000393378513

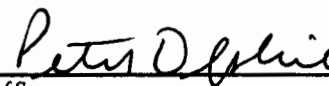
STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on Feb. 19, 2008
Date


Signature of Server

Roslyn, New York
Address of Server


STANLEY FEINMAN
NOTARY PUBLIC, State Of New York
No. 4792237
Qualified in Nassau County
Term Expires AUG 31, 2009

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

Southern

District of

New York

ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL,

Plaintiff,

V.

ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC,
ASSARA LASER and MANHATTAN LASER HAIR REMOVAL,
SHUMAN a/k/a JEROME SHUMAN, WILL SHUMAN
DR. SAM TAYER,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 08 CV 0442 (TPG)
ECF CASE

08 CV 0442 1

TO: (Name and address of Defendant)

Will Shuman
7 West 51st Street
2nd Floor
New York, New York 10019

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

LER, FITZGERALD, FIVESON & MCCARTHY, A Professional Corporation
Fifth Avenue, Suite 6215, New York, New York 10118
2) 615-2200

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

JAN 17 2008

JAN 17 2008

CLERK

DATE

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE Feb. 19, 2008
NAME OF SERVER (PRINT) Stanley Feinman	TITLE NYS Lic. Private Investigator

Check one box below to indicate appropriate method of service

Service on Will Shuman

☐ Served personally upon the defendant. Place where served:

☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. on February 16, 2008 at 4:37 PM at 235 W. 48th St., Apt. 29D, New York, NY 10036
Name of person with whom the summons and complaint were left: Mark Gong - male - white skin
black hair - 36-45 years old - 5'9" - 6' - 161 - 180 lbs

☐ Returned unexecuted:☒ Other (specify): Service made in the presence of two NYPD Officers

Badges #23520 and #17650

Copy of documents also mailed 1st class and certified mail return receipt requested #7007 0220 0003 9337 8568

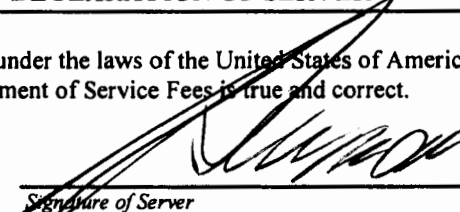
STATEMENT OF SERVICE FEES


TRAVEL	SERVICES	TOTAL \$0.00
--------	----------	-----------------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on Feb. 19, 2008
Date


Signature of Server


Howard M. Gallin, ESQ
Notary Public of New York
ID #02GA4685719
Qualified in Suffolk County
Comm Expires, Feb 28, 2011

Roslyn, New York
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT

Southern

District of

New York

ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL,

Plaintiff,

V.

ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC,
ASSARA LASER and MANHATTAN LASER HAIR REMOVAL,
JAY SHUMAN a/k/a JEROME SHUMAN, WILL SHUMAN
and DR. SAM TAYER,

Defendants.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 08 CV 0442 (TPG)
ECF CASE

08 CV 0442 1

TO: (Name and address of Defendant)

Will Shuman
7 West 51st Street
2nd Floor
New York, New York 10019

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

BUTLER, FITZGERALD, FIVESON & MCCARTHY, A Professional Corporation
350 Fifth Avenue, Suite 6215, New York, New York 10118
(212) 615-2200

an answer to the complaint which is served on you with this summons, within _____ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

JAN 17 2008

JAN 17 2008

J. MICHAEL McMEIKEN

CLERK

DATE

(By) DEPUTY CLERK

ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL

Plaintiff(s) Petitioner(s)

ECF Case

Calendar No.

against
ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC, ASSARA LASER
and MANHATTAN LASER HAIR REMOVAL, ET AL.

Defendant(s) Respondent(s)

AFFIDAVIT
OF
SERVICE

being sworn,

Nassau COUNTY, NEW YORK STATE: Stanley Feinman

Deponent is not a party herein, is over 18 years of age and resides at Roslyn, New York

On Feb. 16, 2008 ☒ at 4:37 P.M., at 235 W. 48th St., Apt. 29D, New York, NY 10036

Deponent served the within ☐ summons ☐ with notice ☐ summons, Spanish summons and complaint, the language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of the summons(es)

☐ summons and complaint

☐ notice of petition and petition

☐ subpoena ☐ subpoena duces tecum

☐ citation

☒ Summons in a Civil Action, Complaint, Letter as per 3rd Amended Instructions for filing with attachments

☒ defendant (hereinafter called therein named

☐ respondent

☐ witness

the recipient)

Deponent Will Shuman

INDIVIDUAL

1. ☐

by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said recipient therein.

CORPORATION

2. ☐

a corporation, by delivering thereat a true copy of each to

personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be thereof

SUITABLE
AGE PERSON

3. ☒

by delivering thereat a true copy of each to Mark Gong a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☒ dwelling place ☐ usual place of abode within the state.

AFFIXING TO
DOOR, ETC.

4. ☐

by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there

Deponent talked to at said premises who stated that recipient ☐ lived ☐ worked there.

MAILING TO
RESIDENCE
USE WITH 3 OR 4

5A. ☒

Deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence, at 235 W. 48th St., Apt. 29D, New York, NY 10036 and deposited said envelope in an official depository under exclusive care and custody of the U.S. Postal Service within New York State. Mailed 1st Class and Certified Mail, Return Receipt Requested

MAILING TO
BUSINESS
USE WITH 3 OR 4

5B. ☐

Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION

☒

☒ Male

☐ Female

☒ White Skin

☐ Black Skin

☐ Yellow Skin

☐ Brown Skin

☐ Red Skin

☒ Black Hair

☐ Brown Hair

☐ Blonde Hair

☐ Gray Hair

☐ Red Hair

☐ White Hair

☐ Balding

☐ Mustache

☐ Beard

☐ Glasses

☐ 14-20 Yrs.

☐ 21-35 Yrs.

☒ 36-50 Yrs.

☐ 51-65 Yrs.

☐ Over 65 Yrs.

☐ Under 5'

☐ 5'0"-5'3"

☐ 5'4"-5'8"

☒ 5'9"-6'0"

☐ Over 6'

☐ Under 100 Lbs.

☐ 100-130 Lbs.

☐ 131-160 Lbs.

☒ 161-200 Lbs.

☐ Over 200 Lbs.

Other identifying features:

WITNESS
FEES

☐

\$ the authorizing traveling expenses and one days' witness fee:

☐ was paid (tendered) to the recipient

☐ was mailed to the witness with subpoena copy.

MILITARY
SERVICE

☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Deponent was accompanied by 2 NYPD Officers

Badge #23520 & #17650

Howard M. Gallin, Esq.
Notary Public of New York
ID #02GA4685719
Qualified in Suffolk County
Comm Expires, Feb 28, 2011

Stanley Feinman

Sworn to before me on
Feb. 19, 2008

ROMEO & JULIETTE LASER HAIR REMOVAL, INC.,
d/b/a ROMEO & JULIETTE HAIR REMOVAL

Plaintiff(s) Petitioner(s)

Calendar No.

ASSARA I LLC., d/b/a ASSARA LASER CENTER NYC, ASSARA LASER
and MANHATTAN LASER HAIR REMOVAL, ET AL.

Defendant(s) Respondent(s)

AFFIDAVIT
OF
SERVICE

being sworn

Nassau COUNTY, NEW YORK STATE: Peter Olphie
Deponent is not a party herein, is over 18 years of age and resides at Roslyn, New York
on Feb. 19, 2008 at 9:27 A.M., at 2nd Fl., 7 West 51st St., New York, NY-Deponent served the within ☐ summons ☐ with notice
☐ summons and complaint
☐ notice of petition and petition
☐ subpoena ☐ subpoena duces tecum☐ summons, Spanish summons and complaint, the language required by NYCRR
2900.2(e), (f) & (h) was set forth on the face of the summons(es)☐ citation☒ Summons in a Civil Action, Complaint, Letter as
per 3rd Amended Instructions for filing with
attachments☒ defendant (hereinafter
☐ respondent called therein named
☐ witness the recipient)

Will Shuman

INDIVIDUAL by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said
1. ☐ recipient therein.CORPORATION a corporation, by delivering thereat a true copy of each to
2. ☐ personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be
thereofSUITABLE AGE PERSON by delivering thereat a true copy of each to Elizabeth Botte employee of Assara Laser a person of suitable
3. ☒ age and discretion. Said premises is recipient's ☒ actual place of business ☐ dwelling place ☐ usual place of abode within the state.AFFIXING TO DOOR, ETC. by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of
4. ☐ abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called thereDeponent talked to at said premises who stated that recipient ☐ lived ☐ worked there.MAILING TO RESIDENCE USE WITH 3 OR 4 Deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipient's last known residence, a
5A. ☐ and deposited said envelope in a
official depository under exclusive care and custody of the U.S. Postal Service within New York State.MAILING TO BUSINESS USE WITH 3 OR 4 Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual place of business, a
5B. ☒ Will Shuman c/o Assara 7 W. 51st St., 2nd Fl., New York, NY in an official depository
under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and
did not indicate on the outside thereof by return address or otherwise, that the communication was from an attorney or concerned an action against the
defendant. Also mailed Certified Mail Return Receipt Requested

#7007 0220 0003 9337 8513

DESCRIPTION ☐ Male ☒ White Skin ☐ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.
☒ Female ☐ Black Skin ☒ Brown Hair ☐ Balding ☒ 21-35 Yrs. ☐ 5'0"-5'3" ☒ 100-130 Lbs.
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☐ 36-50 Yrs. ☒ 5'4"-5'8" ☐ 131-160 Lbs.
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

Other identifying features:

WITNESS FEES \$ the authorizing traveling expenses and one days' witness fee: ☐ was paid (tendered) to the recipient
☐ was mailed to the witness with subpoena copy.MILITARY SERVICE ☒ I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever
and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my
belief are the conversations and observations above narrated.Upon information and belief I say that the recipient is not in military service of New York State or of the United States as that term is defined in either
the State or in the Federal statutes.Born to before me on
Feb. 19, 2008STANLEY J. FEINMAN
NOTARY PUBLIC, State Of New York
No. 4792237
Qualified in Nassau County
Term Expires AUG 31, 2009

Peter Olphie